Doctor Testifies Ailing ITT Aide Disavows Memo

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Says Patient Mad, Upset At the Time

By Sanford J. Ungar
Washington Post Staff Writer

Washington lobbyist Dita D. Beard says she was "mad and disturbed" when she wrote a memorandum suggesting that the Justice Department settled an antitrust suit in exchange for a contribution to the Republican National Convention, her physician testified yesterday.

Dr. Victor L. Liszka of Arlington swore to the Senate Judiciary Committee that Mrs. Beard told him "she didn't mean the things she seemed to imply" in the memorandum to the chief of the Washington office of her employer, the International Telephone and Telegraph Corp.

Liszka, who said he was testifying at his own request and on Mrs. Beard's behalf, told the committee that as a result of a severe heart condition his patient is "disturbed and irrational" at times.

The cardiovascular surgeon portrayed Mrs. Beard as a woman whose "thought processes have not been well coordinated" on occasions over the past four years. He said Mrs Beard "drinks excessively when under tension" and sometimes takes tranquilizers at the same time.

He said that her irrationality—which sometimes affected "her thought process . . . and her actions and sentences"—could be caused by the heart's failure during a sudden attack to pump enough blood to provide oxygen to the brain.

Although he was in occasional communication with ITT about Mrs. Beard's physical health, Liszka testified, he never told company officials about its emotional effects and her alleged irrationality.

But Liszka's testimony about Mrs. Beard's mental state drew a sharp rebuff last night from the osteopathic physicians caring for her at a Denver hospital.

"I'm her doctor now, and I do not question her mental health," said Dr. Lewis Radetsky, an osteopath specializing in cardiac diseases at the Rocky Mountain Osteopathic Hospital.

After hearing of Liszka's testimony to the committee, Radetsky said, "I do not think his comments are well-founded."

Liszka's appearance before the Senate panel was the latest development in a growing controversy around the nomi

See ITT, A13, Col. 1

By Margaret Thomas—The Washington Post

Dr. Liszka: Mrs. Beard is "irrational" at times.

ITT, From A1

nation of Richard G. Kleindienst to be Attorney General.

Kleindienst told the committee last week that while he was deputy attorney general he met several times with an ITT director to iscuss the antitrust settlement but denied that political pressure was involved. Kleindienst is scheduled to return for further questioning today.

One item on which Democratic senators will quiz Kleindienst is his assertion last Friday that the only person in the Justice Department with whom he ever discussed various cases pending against ITT was Richard W. McLaren, former head of the Antitrust Division and now a federal judge in Chicago.

Solicitor General Erwin N. Griswold submitted a statement to the Judiciary Committee yesterday saying that Kleindienst asked him last April 18 or 19 to delay a Supreme Court appeal in the case seeking to divest ITT of the Grinnell Corp., a producer of fire protection systems.

Justice Department sources said last night that the discussion of that case in Kleindienst's office probably took place on April 19, since April 18 was a Sunday and it would

be rare for so many top department officials to be in their offices on the weekend.

Kleindienst has testified that his first meeting with ITT director Felix G. Rohatyn took place the next day, April 20.

After Kleindienst's request, Griswold asked for and obtained a last-minute extension from the Supreme Court, on the basis of the argument that the Justice Department needed to consult other government departments about the case.

Upon expiration of the 30-day extension, however, the Justice Department filed the same brief that had originally been prepared, but with a new date. There was no indication that other departments had actually been consulted.

Kleindienst said under oath last week that he was "generally aware" of the Grinnell case extension, but that he talked about it "just (with) McLaren. I did not discuss this with anybody else in the department."

In the subsequent settlement of the ITT antitrust cases, the Justice Department dropped its suit against the Grinnell merger and accepted partial divestiture of that ITT subsidiary.

Kleindienst's confirmation for the Cabinet position has been indefinitely delayed by the committee pending establishment of facts surrounding the ITT settlement and the conglomerate's subsidy of up to $400,000 for the GOP convention in San Diego this summer.

In another development after his testimony before the committee yesterday, Liszka told The Washington Post that Mrs. Beard confided to him that ITT "told her to take a vacation" after her controversial memo was first published by syndicated columnist Jack Anderson.

Liszka said that subject may also have "come up" during his discussions with an ITT corporate doctor in New York last week, while Mrs. Beard was visiting the company's main office.

Dr. Dave T. Garland, another osteopath treating Mrs. Beard in Denver, said last night that he also recalled hearing her say that she had been urged by her employers to go on vacation after the memo surfaced.

But ITT contended last week that Mrs. Beard's "absence is in direct violation of a commitment she made to the company to keep it informed of her whereabouts."

In a statement released last Friday, while the FBI was searching for Mrs. Beard to serve her with a subpoena to appear before the Judiciary Committee, ITT said it was trying to locate her and that her testimony "will be helpful in allaying the charges that have been aired."

Brit Hume, an associate of columnist Anderson, had previously stated that Mrs. Beard told him that ITT wanted her to "get out of town" after the memo was published.

That version of events was also supported by Rep. Bob Wilson (R-Calif.), who told the San Diego Union last week that Mrs. Beard had been urged by ITT to leave Washington.

Liszka told the Judiciary Committee yesterday that if her condition continues to improve Mrs. Beard may be able to testify from her Denver hospital bed next week.

Committee Chairman James O. Eastland (D-Miss.) welcomed that suggestion and said that the committee would consider sending a delegation to take a statement from the lobbyist in Denver.

But the osteopathic physicians now caring for Mrs. Beard in Denver also disputed that suggestion by Liszka.

"If she is in good enough health to undergo this stress" (of testifying at the hospital), Garland said last night, "she could be released" and come to Washington to testify.

One fact that seemed to be firmly established at yesterday's hearing was that Mrs. Beard does not deny writing the memorandum linking the antitrust settlement to the convention contribution.

"She said she was mad and disturbed when she wrote" the memorandum, Liszka said, recalling his conversations with Mrs. Beard.

The doctor offered his own observation that "this memo does not strike me as being very well thought out."

Liszka also presented Mrs. Beard's version of an encounter with former Attorney General John N. Mitchell during a reception at the Kentucky governor's mansion after the Kentuck Derby last year, as she had told it to him.

"'I have had a dressing down by the Attorney General such as I have never had in my life,'" Liszka said Mrs. Beard told him at the time. "I tried to talk to the Attorney General about the antitrust merger, and he told me I should proceed in the proper channels.'"

Mrs. Beard's published memo includes the assertion that "Mitchell is definitely helping us, but cannot let it be known."

But in an interview with reporters last week on the occasion of his departure from the Justice Department Mitchell denied providing any such "help" and said that his conversation with Mrs. Beard at the Kentucky party had been a brief one in which he told her to "stop lobbying."

Liszka said yesterday that Mrs. Beard had given him the impression, however, that the "dressing down" from the then Attorney General lasted a long time.

Mitchell said last week that he did "not know as of this date what arrangements" exist between ITT and the Republican Party about convention finances.

During his testimony yesterday, Liszka said he had conferred privately with an aid to Kleindienst at the Justice Department both before going to Denver to visit Mrs. Beard and upon his return here Sunday night.

Later, Liszka acknowledged to The Washington Post that "I asked to come and see them. I wanted to clear up this matter of the so-called deal" concerning the antitrust settlement and the convention subsidy.

A Justice Department spokesman denied that there was anything improper about Liszka talking with the Kleindienst aide before testifying to the committee.

Robert McCall, with whom Mrs. Beard stayed when she first flew to Denver last week, said that last summer, when she was in the Colorado capital during a meeting of the Republican National Committee, she also fell ill with heart problems.

When Mrs. Beard arrived in Denver this time, McCall said, "she was very pressured. Her employers were obviously unhappy with her."